



Attorney Docket No.: ChG_00107

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Suresh C. Srivastava, Satya P. Bajpai and Kwok-Hung Sit
Assignee of Part interest: ChemGenes Corporation
Application Serial No.: 10/768,996
Filed: January 30, 2004
Title: NOVEL OLIGONUCLEOTIDES AND RELATED COMPOUNDS
Art Unit: 1642
Examiner: Brandon J. Fetterolf, Ph.D.

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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1/9/2010
Date

COVER: RESPONSE TO ADVISORY ACTION

MAIL STOP AMENDMENT
Commissioner for Patents
P.O.Box 1450
Alexendria, VA 22313-1450

Re: Advisory Action dated October 28, 2009

Sir:

This reply is being filed in response to the Advisory Action mailed on October 28, 2009, for the above-referenced Nonprovisional Patent Application. This response amends the claims in view of elucidation of advisory action by the Examiner in a telephone interview on December 8, 2009. A summary of the interview is enclosed herewith.

Some dependent claims, now rewritten as independent claims to overcome the objections, do not rely on the broad generic claims. Several other dependent claims have now been rewritten to depend from these new independent claims in the alternative.

However, the applicants' remarks herein provide an explanation of the relevant, analogous attributes of the several species pertaining to the generic claims. A significant number of scientific references is also included to show that, based on the state of the prior art and the written description of the present application, the present invention may be practiced for the other species in a parallel, analogous manner; that the applicants had possession of the invention as of the date of the application; and therefore, that the requirements of written description are fulfilled.

The applicants gratefully note that their reply of 9/21/09 has overcome the following rejections: The rejections of claims 1-23, 25-37 and 45-50 under USC 112, first paragraph relating to written description for the CpG moieties, and the rejection under USC 112, second paragraph.

The claim listing begins on the next page, page 3, and the remarks follow beginning at page 16.

In the case of any questions or deficiency in the compliance or fees, you are requested to kindly contact the undersigned representative.

Dated: January 9, 2010

Respectfully submitted,

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